

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:10-CV-23-RLV-DCK**

<b>TYLER C. WILFONG,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>COMMISSIONER OF SOCIAL SECURITY,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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**THIS MATTER IS BEFORE THE COURT** on Plaintiff's "Petition For Attorney's Fees And Costs" pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. Section 2412(d) (Document No. 23) filed January 24, 2011, and "Defendant's Response To Plaintiff's Petition For Attorney's Fees And Costs" (Document No. 24) filed on February 8, 2011. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, and noting consent of Defendant's counsel, the undersigned will grant the motion.

"Defendant's Response. . ." states that "the Commissioner will not oppose an order granting Plaintiff's motion for payment of one-thousand, two-hundred and ten dollars (\$1,210.00) to Plaintiff as full settlement in satisfaction of any and all claims for attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), provided that this is the only petition filed by Plaintiff in this case under 28 U.S.C. § 2412(d)." Based on the motion, the response, and the cited authority, the undersigned finds good cause to grant the motion.

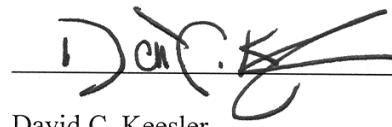
**IT IS, THEREFORE, ORDERED** that Plaintiff's "Petition For Attorney's Fees And Costs" (Document No. 23) is **GRANTED**.

**NOW THEREFORE, IT IS FURTHER ORDERED** that:

1. Plaintiff shall be paid the sum of \$1,210.00.
2. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order on counsel for the parties.

**SO ORDERED.**

Signed: February 8, 2011

  
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David C. Keesler  
United States Magistrate Judge 